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Federal Housing Finance Agency*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GREGORY A. KOVAC,

Plaintiff,

vs.

EXCEL REALTY AND MORTGAGE, INC.,
and ROWENA O. FRICK, REALTOR;
WELLS FARGO HOME MORTGAGE,
WELLS FARGO BANK, N.A.; FEDERAL
NATIONAL MORTGAGE ASSOCIATION
a/k/a FANNIE MAE; CAL-WESTERN
RECONVEYANCE CORPORATION;
JAVIER FUENTES; FEDERAL HOUSING
FINANCE AGENCY; DOES 1-20
INCLUSIVE,

Defendants.

YGR
CASE NO. 4:15-cv-04552-~~KAW~~

**STIPULATION EXTENDING BRIEFING
SCHEDULE AND HEARING DATE ON
MOTION TO DISMISS [L.R. 6-2]**

1 Pursuant to the United States District Court, Northern District of California Local Rules,
2 Rule 6-1(b) and Rule 6-2, plaintiff Gregory A. Kovac and defendant Federal Housing Finance
3 Agency ("FHFA") submit this Stipulation requesting that this Court enter an Order modifying
4 the briefing schedule and hearing on the pending Motion to Dismiss filed by FHFA. In support
5 of this Stipulation, the parties state as follows:

6 1. This matter was removed to this Court by FHFA on October 2, 2015. The Notice
7 of Removal and the other documents issued by this Court has been served on Plaintiff.

8 2. Pursuant to Fed. R. Civ. P. 81(c), FHFA's response to the Second Amended
9 Complaint filed in the state court action that was removed to this Court is due on October 9,
10 2015.

11 3. Pursuant to this Court's Local Rule 6-1(a), the respective attorneys for Plaintiff
12 and FHFA agreed to extend the time for defendant FHFA to answer or otherwise plead to the
13 Second Amended Complaint to and including October 30, 2015.

14 4. Pursuant to the prior stipulation of the parties, FHFA filed a Motion to Dismiss on
15 October 30, 2015.

16 5. Plaintiff's counsel requested two weeks of additional time to respond to the
17 Motion to Dismiss so as to allow Plaintiff to fully address the arguments made therein. The
18 parties subsequently agreed upon the following briefing schedule:

19 (a) Plaintiff's Opposition will be due on or before November 30, 2015 (the first day
20 after the Court holiday on November 27, 2015).

21 (b) Defendant's Reply will be due on or before December 14, 2015.

22 (c) The hearing on the Motion will be moved from December 8, 2015 to January 5,
23 2016, the first available motion hearing date after the filing of the Reply.

24 6. The only prior time modification in this case was the extension on the answering
25 deadline as set forth above.

7. The effect of this modification would be to move the hearing date on the Motion to Dismiss to January 5, 2016. This is six (6) days prior to the Case Management Conference currently scheduled for Monday, January 11, 2016 at 2:00pm.

8. This Motion is filed more than fourteen (14) days prior to the currently-scheduled hearing on the Motion to Dismiss.

IT IS SO STIPULATED.

Dated: November 13, 2015

LAW OFFICE OF JAMES Z. MARGOLIS

/s/ James Z. Margolis

By: _____

James Z. Margolis (Cal. Bar No. 52613)
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Attorneys for Plaintiff
Gregory A. Kovac

Dated: November 13, 2015

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/s/ Cristina D. Hernandez

By: _____

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: November 17, 2015


The Honorable Yvonne Gonzalez Rogers